

## EXHIBIT D

**From:** [Erin Wilcox](#)  
**To:** [Stephens, Ben](#)  
**Cc:** [Anastasia P. Boden](#); [Gomez, Sandy](#); [Dillard, Jarett](#); [lori.yount@houstontx.gov](#); [Eckert, Darah - LGL](#); [Joshua P. Thompson](#); [Katherine Turnbull](#); [bsileo@hhstxlaw.com](#); [bharris@hhstxlaw.com](#)  
**Subject:** RE: Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516  
**Date:** Tuesday, September 17, 2024 2:36:15 PM  
**Attachments:** [image001.png](#)

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[EXTERNAL EMAIL]

Per my last email, because you have still not noticed any of Mr. Thompson's depositions (which, as you know, includes the 30(b)(6) topics), it's too late for us to prepare our witness for depositions next week.

**Erin Wilcox | Attorney**

Pacific Legal Foundation  
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814  
916.419.7111



**PACIFIC LEGAL  
FOUNDATION**

Defending Liberty and Justice for All.

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**From:** Stephens, Ben <Ben.Stephens@huschblackwell.com>  
**Sent:** Tuesday, September 17, 2024 2:12 PM  
**To:** Erin Wilcox <EWilcox@pacificlegal.org>  
**Cc:** Anastasia P. Boden <ABoden@pacificlegal.org>; Gomez, Sandy <Sandy.Gomez@huschblackwell.com>; Dillard, Jarett <Jarett.Dillard@huschblackwell.com>; lori.yount@houstontx.gov; Eckert, Darah - LGL <Darah.Eckert@houstontx.gov>; Joshua P. Thompson <JThompson@pacificlegal.org>; Katherine Turnbull <KTurnbill@pacificlegal.org>; bsileo@hhstxlaw.com; bharris@hhstxlaw.com  
**Subject:** Re: Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516

Are the dates previously offered for Mr Thompson no longer available?

Sent from my iPhone

On Sep 17, 2024, at 1:59 PM, Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)> wrote:

[EXTERNAL EMAIL]

Hi Ben,

The Plaintiffs oppose the motion for a protective order and to quash the 30(b)(6) deposition notice. The judge has already rejected any relevance claims related to the CHA study and granted discovery under the protective order. This motion is obstructive, duplicative, and will entitle us to attorney's fees.

Mr. Thompson will be the corporate representative for Landscape Consultants

and Metropolitan, and prefers to schedule these depositions and his individual deposition for the same day. Because we still have not received notice of the 30(b)(6) deposition topics, we are unable to commit to a deposition date for those depositions next week. It may be most efficient to postpone Mr. Thompson's depositions until after the court rules on your motion so that if it is denied, all party depositions can be held on consecutive days.

Best,  
Erin

**Erin Wilcox | Attorney**  
Pacific Legal Foundation  
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814  
916.419.7111

<image001.png>

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**From:** Stephens, Ben <[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)>  
**Sent:** Monday, September 16, 2024 4:33 PM  
**To:** Anastasia P. Boden <[ABoden@pacificlegal.org](mailto:ABoden@pacificlegal.org)>; Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)>; Gomez, Sandy <[Sandy.Gomez@huschblackwell.com](mailto:Sandy.Gomez@huschblackwell.com)>; Dillard, Jarett <[Jarett.Dillard@huschblackwell.com](mailto:Jarett.Dillard@huschblackwell.com)>; [lori.yount@houstontx.gov](mailto:lori.yount@houstontx.gov); Eckert, Darah - LGL <[Darah.Eckert@houstontx.gov](mailto:Darah.Eckert@houstontx.gov)>  
**Cc:** Joshua P. Thompson <[JThompson@pacificlegal.org](mailto:JThompson@pacificlegal.org)>; Katherine Turnbull <[KTurnbill@pacificlegal.org](mailto:KTurnbill@pacificlegal.org)>; [bsileo@hhstxlaw.com](mailto:bsileo@hhstxlaw.com); [bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com)  
**Subject:** RE: Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516

Hi Anastasia and all -

The City will be moving for a protective order and to quash the 30(b)(6) deposition notice, on the relevance grounds we've previously discussed on this issue and on privilege grounds. Please let us know your position on this motion by 6 pm CT tomorrow.

For Mr. Thompson we will do the 25<sup>th</sup> – please let me know tomorrow if there is a location you'd prefer, otherwise we can notice for our offices in downtown Houston.

**Ben Stephens**  
**Partner**  
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[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)

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**From:** Anastasia P. Boden <[ABoden@pacificlegal.org](mailto:ABoden@pacificlegal.org)>  
**Sent:** Thursday, September 12, 2024 4:36 PM  
**To:** Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)>; Stephens, Ben <[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)>; Gomez, Sandy

<[Sandy.Gomez@huschblackwell.com](mailto:Sandy.Gomez@huschblackwell.com)>; Dillard, Jarett  
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<[Darah.Eckert@houstontx.gov](mailto:Darah.Eckert@houstontx.gov)>  
**Cc:** Joshua P. Thompson <[JThompson@pacificlegal.org](mailto:JThompson@pacificlegal.org)>; Katherine Turnbull  
<[KTurnbill@pacificlegal.org](mailto:KTurnbill@pacificlegal.org)>; [bsileo@hhstxlaw.com](mailto:bsileo@hhstxlaw.com); [bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com)  
**Subject:** Re: Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516

[EXTERNAL EMAIL]

Hi Ben and team,

I'm circling back to confirm your availability for the 30(b)(6) deposition we noticed for September 30<sup>th</sup>.

On our end, Mr. Thompson is available for both his own and a 30(b)(6) deposition through the end of the discovery period excluding September 17, 26, 27, or 30.

Best,

Anastasia

Anastasia P. Boden | Senior Attorney  
Pacific Legal Foundation  
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814  
916.419.7111 | Office

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**From:** Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)>  
**Date:** Friday, August 30, 2024 at 12:03 PM  
**To:** Stephens, Ben <[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)>, Gomez, Sandy  
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<[Darah.Eckert@houstontx.gov](mailto:Darah.Eckert@houstontx.gov)>  
**Cc:** Joshua P. Thompson <[JThompson@pacificlegal.org](mailto:JThompson@pacificlegal.org)>, Anastasia P. Boden <[ABoden@pacificlegal.org](mailto:ABoden@pacificlegal.org)>, Katherine Turnbull  
<[KTurnbill@pacificlegal.org](mailto:KTurnbill@pacificlegal.org)>, [bsileo@hhstxlaw.com](mailto:bsileo@hhstxlaw.com)  
<[bsileo@hhstxlaw.com](mailto:bsileo@hhstxlaw.com)>, [bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com) <[bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com)>

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Thanks Ben, we'll circle back to you on Plaintiffs' deposition availability.

Additionally, attached please find Plaintiffs' second set of requests for production of documents.

Best,  
Erin

**Erin Wilcox | Attorney**  
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555 Capitol Mall, Suite 1290 | Sacramento, CA 95814  
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<image001.png>

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**From:** Stephens, Ben <[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)>  
**Sent:** Wednesday, August 28, 2024 9:46 AM  
**To:** Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)>; Gomez, Sandy <[Sandy.Gomez@huschblackwell.com](mailto:Sandy.Gomez@huschblackwell.com)>; Dillard, Jarett <[Jarett.Dillard@huschblackwell.com](mailto:Jarett.Dillard@huschblackwell.com)>; [lori.yount@houstontx.gov](mailto:lori.yount@houstontx.gov); Eckert, Darah - LGL <[Darah.Eckert@houstontx.gov](mailto:Darah.Eckert@houstontx.gov)>  
**Cc:** Joshua P. Thompson <[JThompson@pacificlegal.org](mailto:JThompson@pacificlegal.org)>; Anastasia P. Boden <[ABoden@pacificlegal.org](mailto:ABoden@pacificlegal.org)>; Katherine Turnbull <[KTurnbill@pacificlegal.org](mailto:KTurnbill@pacificlegal.org)>; [bsileo@hhstxlaw.com](mailto:bsileo@hhstxlaw.com); [bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com)  
**Subject:** Re: Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516

Erin, we'll consult and let you know on dates. Please also let us know available dates in the second half of September for a corporate representative of Lanscape, a corporate representative of Metropolitan, and Mr. Thompson individually. Thanks.

**Ben Stephens**  
**Partner**  
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Mobile: [915-525-2431](tel:915-525-2431)  
[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)

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**From:** Erin Wilcox <[EWilcox@pacificlegal.org](mailto:EWilcox@pacificlegal.org)>  
**Sent:** Wednesday, August 28, 2024 9:41 AM  
**To:** Stephens, Ben <[Ben.Stephens@huschblackwell.com](mailto:Ben.Stephens@huschblackwell.com)>; Gomez, Sandy <[Sandy.Gomez@huschblackwell.com](mailto:Sandy.Gomez@huschblackwell.com)>; Dillard, Jarett <[Jarett.Dillard@huschblackwell.com](mailto:Jarett.Dillard@huschblackwell.com)>; [lori.yount@houstontx.gov](mailto:lori.yount@houstontx.gov) <[lori.yount@houstontx.gov](mailto:lori.yount@houstontx.gov)>; Eckert, Darah - LGL <[Darah.Eckert@houstontx.gov](mailto:Darah.Eckert@houstontx.gov)>  
**Cc:** Joshua P. Thompson <[JThompson@pacificlegal.org](mailto:JThompson@pacificlegal.org)>; Anastasia P. Boden

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<[bharris@hhstxlaw.com](mailto:bharris@hhstxlaw.com)>

**Subject:** Landscape Consultants, et al. v. City of Houston, et al., 4:23-cv-03516

[EXTERNAL EMAIL]

Dear Ben and team,

Attached, please find a 30(b)(6) deposition notice directed to your client and the protective order applicable to this deposition. We've noticed the deposition for Monday, September 30 at Husch Blackwell's offices, but are happy to coordinate with you on a different date and/or location that is convenient for all parties and witnesses.

I'll be out of the office from September 2-13, so Joshua or Anastasia will work with you on any details while I'm away.

Best,  
Erin

**Erin Wilcox** | Attorney  
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